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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MIN-JEONG KANG, HAN-IL YU,
and SUNG-CHUL YANG

Appeal 2009-003192
Application 10/716,124
Technology Center 2600

Decided: November 9, 2009

Before ROBERT E. NAPPI, THOMAS S. HAHN and
ELENI MANTIS MERCADER, *Administrative Patent Judges*.

NAPPI, *Administrative Patent Judge*.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134(a) of the final rejection of claims 1-16. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm the Examiner's rejections of these claims.

INVENTION

The invention is directed to a method and device for computing using a pen input. *See Spec:* 1-6. Claim 1 is representative of the invention and reproduced below:

1. A pen input device comprising:
 - a touch screen panel for receiving a pen input from a user and displaying input data corresponding to the received input;
 - an entry field generating portion for generating at least one entry field based on a boundary line of an entry frame drawn by the user;
 - a controller for resizing the entry field to be suitable for the input data's size whenever input data is input to the generated entry field; and
 - a memory unit for storing recognition information related to the entry field and the input data.

REFERENCES

Takada	US 5,850,477	Dec. 15, 1998
Sachs	US 5,956,034	Sep. 21, 1999

REJECTIONS AT ISSUE

Claims 1-8, 10-13, and 15-16¹ stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Takada in view of Sachs. Ans. 3-8.

ISSUE

Rejection of claims 1-8, 10-13, and 15-16 under 35 U.S.C. § 103(a) as being unpatentable over Takada in view of Sachs

Appellants argue on pages 3-4 of the Appeal Brief and pages 1-2 of the Reply Brief that the Examiner's rejection of independent claim 1 is in error. Appellants particularly argue that neither Takada nor Sachs discloses resizing the entry field as recited in claim 1. App. Br. 4; Reply Br. 2. Appellants argue that Sachs only discloses resizing the font of the text, not the entry field, and that the resizing occurs when an icon is selected and not upon input of text. App. Br. 4; Reply Br. 1-2. Appellants present similar arguments directed to independent claim 10. App. Br. 5-7; Reply Br. 1-2.

Thus, Appellants' contentions present us with the issue: Have the Appellants shown that the Examiner erred in finding that the combination of Takada with Sachs teaches resizing the entry field to be suitable for the data whenever input data is input into the entry field?²

¹ Claims 9 and 14 have been indicated by the Examiner as allowable if rewritten in independent form including all of the limitations of the base claim. Ans. 8.

² Appellants additionally argue that the dependent claims are allowable since not every limitation of claims 1 and 10 is taught by the prior art references. App. Br. 5 and 7. We do not reach the additional issue as this issue is dispositive of the case.

FINDINGS OF FACT

Takada

1. Takada discloses an input/display apparatus 1 for handwritten characters that comprises a display panel 6, touch panel 8, input pen 11, memory 7, control circuit 9, an A/D converter 10, and a central processing unit (CPU) 2. Col. 8, ll. 41-50 and Fig. 1.
2. The input pen 11 is used to enter character data, in handwriting, by the user. Upon completion, the user presses a button labeled “W” so the data is submitted to a processor where normalization occurs. Col. 11, ll. 14-20 and 27-31 and Figs. 6A-6D.
3. Normalization is the process wherein the handwritten characters are converted to a size corresponding to the width of the entry field line. Col. 11, ll. 38-41 and Figs. 6A-6D.
4. In order for normalization to occur, the user either must push the button labeled with a “W” or allow a prescribed amount of time to pass. Col. 11, l. 66 through Col. 12, l. 6.

Sachs

5. Sachs discloses a portable electronic viewing unit with a digitized pen input system. Col. 1, ll. 37-41 and 64-65 and Fig. 2A.
6. The portable display unit 32 contains switches 62 that are located on the side of the unit 32. Additionally, a pen 63 may be used to control the unit 32. Col. 5, ll. 13-31.
7. When the unit 32 is turned on, it displays the loaded text 110. If the text is too large or too small, the user may increase or decrease the font size. Col. 5, ll. 44-46, col. 6, ll. 10-21.

PRINCIPLES OF LAW

Office personnel must rely on Appellant's disclosure to properly determine the meaning of the terms used in the claims. *Markman v. Westview Instruments, Inc.*, 52 F.3d 967, 980 (Fed. Cir. 1995) (en banc). "[I]nterpreting what is *meant* by a word in a claim 'is not to be confused with adding an extraneous limitation appearing in the specification, which is improper.'" *In re Cruciferous Sprout Litigation*, 301 F.3d 1343, 1348 (Fed. Cir. 2002) (internal quotation marks and citations omitted; emphasis in original).

ANALYSIS

Rejection of claims 1-8, 10-13, and 15-16 under 35 U.S.C. § 103(a) as being unpatentable over Takada in view of Sachs

Appellants' arguments have not persuaded us that the Examiner erred in finding the combination of Takada and Sachs teach resizing the entry field to be suitable for the data whenever input data is input into the entry field. Claim 1 recites "a controller for resizing the entry field to be suitable for the input data's size whenever input data is input to the generated entry field." Appellants argue that Sachs only teaches resizing the font and not resizing the entry field. App. Br. 4; Reply Br. 1-2. However, Appellants' Specification, on page 12, defines the resizing of the entry field as being "implemented by modifying the length and width of the entry field" or "implemented by modifying the font size of the characters set for the entry field." Additionally, Appellants argue that Sachs does not teach resizing the text when the text is input to the system but rather when the user selects an icon; thereby insinuating that the resizing occurs automatically. App. Br. 4.

This limitation is not found in the claim and will not be imported into the claim. Thus, the scope of claim 1 includes resizing the borders of the entry field as well as resizing the actual characters within the entry field and does not include resizing the borders or the actual characters automatically upon input of text. Independent claim 10 includes limitations that recite similar features.

Sachs discloses an entry field that contains text. FF 7. If the user determines that the text size is too large or too small, the user may increase or decrease the size of the font, thereby resizing the entry field. FF 7. Therefore, Sachs does teach the disputed claim limitation.

Additionally, Takada teaches a system and method wherein a user enters data in the user's handwriting into an entry field through the use of a light pen. FF 2. The handwriting input is normalized when the user either pushes a button designated for processing or a prescribed amount of time passes. FF 2-4. The normalization process converts the inputted handwriting characters to a size corresponding to the width of a line and places it on the line, thereby resizing the entry field since it reduces the size of the characters within the entry field. FF 3. In addition, although not required by the claim, the normalization process occurs automatically after the handwriting is input and a particular amount of time passes. FF 4. Therefore, Takada also teaches the disputed claim limitation.

Accordingly, for the reasons stated above, we sustain the Examiner's rejection of claims 1-8, 10-13, and 15-16.

CONCLUSION OF LAW

Appellants have not shown that the Examiner erred in finding that the combination of Takada with Sachs teaches resizing the entry field to be suitable for the data whenever input data is input into the entry field.

SUMMARY

The Examiner's decision to reject claims 1-8, 10-13, and 15-16 under 35 U.S.C. § 103(a) is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136 (a)(1)(iv).

Appeal 2009-002023
Application 11/044,933

AFFIRMED

ELD

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